

E-FILED 1/14/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GIUSEPPE "NINO" CAMPANELLA, ET AL.,

Plaintiffs,

v.

JEFFEREY LONGORIA, ET AL,

Defendants.

C 05-04906 RS, consolidated with
C 05-01945 RS

**ORDER DISMISSING "DEPUTY
MORENO"**

On December 14, 2007, the Court issued an order to show cause why the defendant named only as "Deputy Moreno" should not be dismissed from these consolidated actions based on plaintiffs' failure to serve any such person or prosecute the actions against him. Plaintiffs filed no response. Accordingly, good cause appearing, this action is dismissed as to defendant "Deputy Moreno." This dismissal does *not* apply to the defendant deputy sheriff who has appeared and defended in this action under the name "Duke" Merino, sometimes named in the caption as "Duke" Marino.

IT IS SO ORDERED.
Dated: January 14, 2008



RICHARD SEEBORG
United States Magistrate Judge

1 **THIS IS TO CERTIFY THAT NOTICE OF THIS ORDER HAS BEEN GIVEN TO:**

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9 **Dated: 1/14/08**

Richard W. Wieking, Clerk

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By: Chambers

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